

12-19-02  
9

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JAMES DAVID WHITMAN,  
Plaintiff

v.

BUCKWALTER CONSTRUCTION  
INC.,  
Defendant

CIVIL ACTION NO. 1:CV-01-196

ORDER TO SHOW CAUSE

FILED  
HARRISBURG  
DEC 19 2002  
CLERK OF COURT  
U.S. DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

Plaintiff initiated this civil action by filing an employment discrimination complaint against Defendant on January 30, 2001. There is no indication that the complaint or any of the other documents in this case have been served on Defendant as required by Rule 4 of the Federal Rules of Civil Procedure. The rule provides that if a defendant is not served a summons and the complaint within 120 days of filing the complaint:

the court, upon motion or on its own initiative after notice to the plaintiff, shall dismiss the action without prejudice as to that defendant or direct that service be effected within a specified time; provided that if the plaintiff shows good cause for the failure, the court shall extend the time for service for an appropriate period.

Fed. R. Civ. P. 4(m).

Therefore, it is **ORDERED THAT** Plaintiff shall, within twenty (20) days of this Order, show cause why this matter should not be dismissed.



Yvette Kane  
United States District Judge

Date: 12 / 19, 2002